IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 201 OF 2005

Dinkar Narayan Magdum. ... Appellant.
Versus.
Ganpati Ravji Bhagat & ors. ... Respondents.

Shri V.S.Kapse for the Appellant.

Shri V.B.Rajure for the Respondents Nos.1 & 2.

CORAM : ABHAY S. OKA, J.

DATED : 13th April, 2005.

P.C.:

1. Heard Shri Kapse for the Appellant. There are concurrent findings of fact recorded by the Courts below on the basis of the decision in the Regular Civil Appeal No.136 of 1988 between the parties. It is held that the original Plaintiffs are the legal representatives of the deceased Chandrabai. After considering the oral and documentary evidence on record, the Courts below have held that the original Plaintiffs have established their possession and accordingly decree for perpetual injunction was passed in favour of the original Plaintiffs. There is no infirmity in the findings recorded by the Courts below. No substantial question of law arises. The Second Appeal is dismissed with no order as to costs.

Judge.